

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SCANTEK MEDICAL INC.,

Plaintiff,

vs.

ANGELA CHEN SABELLA and ACCORDANT
HOLDINGS, LLC,

Defendants

X Case No. 08 cv 00453 (CM)
:
:
:
:
:
:
:
:
:
:
:
X

NOTICE OF MOTION TO DISMISS

To:
Mintz & Fraade P.C.
488 Madison Ave.
NY NY 10022
Attorneys for Plaintiff

PLEASE TAKE NOTICE that, upon the Amended Complaint, the accompanying memorandum of law, the Affidavit of Angela Chen Sabella, and the accompanying exhibits, and the Affirmation of Ken Sussmane, and the accompanying exhibits, defendants will move this Court at the United States District Courthouse, located at 500 Pearl Street, New York, New York, before the Honorable Colleen McMahon, United States District Judge, for an Order dismissing the Amended Complaint for failure to state a claim upon which relief can be granted pursuant to Fed.R.Civ.P. 12(b)(6).

Dated: New York, New York
February 11, 2008

/s/ Kenneth Sussmane
Kenneth Sussmane (KS 9301)
McCue Sussmane & Zapfel, P.C.
521 Fifth Avenue, 28th Floor
New York, New York 10175
Phone: (212) 931-5500
Attorneys for Defendants